

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

RHONDA LYNN SHERMAN,

Plaintiff,

-vs-

MICHAEL J. ASTRUE,  
Commissioner of Social  
Security,

Defendant.

Case No. CIV-10-700-F

**ORDER**

United States Magistrate Judge Bana Roberts issued a Report and Recommendation on June 7, 2011, wherein she recommended that the above-entitled action be dismissed without prejudice, pursuant to Rule 41(b), Fed. R. Civ. P., for failure to obey court orders and to prosecute this action. Magistrate Judge Roberts advised the parties of their respective right to file an objection to the Report and Recommendation on or before June 27, 2011.

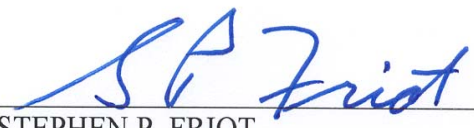
To date, the court has not received any objection to the Report and Recommendation. Likewise, it has not received any application for an extension of time to file an objection. The record reflects that the Report and Recommendation, mailed to plaintiff last known address, was returned undelivered. The return indicates that plaintiff has moved with no forwarding address.

LCvR 5.4 provides that “[p]apers sent by the court will be deemed delivered if sent to the last known address given to the Court.” As the Report and Recommendation was sent to plaintiff’s last known address, the court deems the Report and Recommendation delivered.

With no objection being filed within the time prescribed by Magistrate Judge Roberts, the court accepts, adopts and affirms the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Bana Roberts, on June 7, 2011 (doc. no. 24), is **ACCEPTED**, **ADOPTED** and **AFFIRMED**. The above-entitled action is **DISMISSED WITHOUT PREJUDICE**, pursuant to Rule 41(b), Fed. R. Civ. P., for failure to obey court orders and to prosecute this action.

DATED June 28, 2011.

  
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STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE